

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SEPRACOR INC.,

Plaintiff,

v.

DEY, L.P. and DEY, INC.,

Defendants.

C.A. No. 06-113-***

C.A. No. 06-604-***

(Consolidated)

NOTICE OF DEPOSITION OF JOHN MIYAWA

TO:

Steven J. Balick, Esquire
John G. Day, Esquire
Tiffany Geyer Lydon, Esquire
Ashby & Geddes
500 Delaware Avenue, 8th Floor
P.O. Box
Wilmington, Delaware 19899

Edgar H. Haug, Esquire
Kimberly J. McGraw, Esquire
Frommer, Lawrence & Haug, LLP
745 Fifth Avenue
New York, NY 10151

Elizabeth A. Leff, Esquire
Frommer, Lawrence & Haug, LLP
1667 K Street, N.W.
Washington, D.C. 20006

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(1) of the Federal Rules of Civil Procedure, Plaintiff Sepracor Inc. will take the oral deposition of John Miyawa at the offices of Buchanan Ingersoll & Rooney PC, 1737 King Street, Suite 500, Alexandria, VA 22314, beginning at 9:00 a.m. on October 11, 2007, continuing from day to day until complete. The deposition may be recorded stenographically through instant visual display of testimony (real-time), by certified shorthand reporter and notary public

or such other person authorized to administer oaths under the laws of the United States, and may also be videotaped.

You are invited to attend and cross examine.

September 17, 2007

THE BAYARD FIRM

/s/ Richard D. Kirk (rk0922)

Richard D. Kirk (rk0922)

Ashley B. Stitzer (as3891)

222 Delaware Avenue, Suite 900

P.O. Box 25130

Wilmington, DE 19899-5130

(302) 655-5000

rkirk@bayardfirm.com

Attorneys for Plaintiff,
SEPRACOR INC.

OF COUNSEL:

Todd R. Walters

Susan M. Dadio

Barbara Webb Walker

BUCHANAN INGERSOLL & ROONEY PC

1737 King Street, Suite 500

Alexandria, VA 22314-2727

(703) 836-6620

CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on September 17, 2007, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Steven J. Balick, Esquire
John G. Day, Esquire
Tiffany Geyer Lydon, Esquire
Ashby & Geddes
500 Delaware Avenue, 8th Floor
PO Box 1150
Wilmington, Delaware 19899

The undersigned counsel further certifies that, on September 17, 2007, copies of the foregoing document were sent by email and hand to the above local counsel and by email and federal express to the following non-registered participant:

Edgar H. Haug, Esquire
Kimberly J. McGraw, Esquire
Frommer, Lawrence & Haug L.L.P.
745 Fifth Avenue
New York, NY 10151

Elizabeth A. Leff, Esquire
Frommer, Lawrence & Haug L.L.P.
1667 K. Street, N.W.
Washington, D.C. 20006

/s/ Richard D. Kirk (rk0922)
Richard D. Kirk